IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 11655 of 2007
Date of decision: 2.8.2007

Hardev Singh ...Petitioner

Versus

The Financial Commissioner and others others ...Respondents.

CORAM:- HON'BLE MR. JUSTICE K.S.GAREWAL
HON'BLE MR. JUSTICE S. D. ANAND

Present: Mr. Jaspreet Singh, Advocate,
for the petitioner.

K.S.GAREWAL, J.

Hardev Singh has filed this petition to challenge the appointment of Manjinder Singh as Lambardar of Sammipur. The post of Lambardar of the village had fallen vacant after the death of Sohan Singh. When proclamation was made in the village by Assistant Collector, Grade I, Jalandhar, five candidates including Hardev Singh petitioner and Manjinder Singh-respondent 7 applied. In his application, the petitioner stated that he was matric and Art & Craft diploma holder. He could speak and write Hindi, Punjabi and English, is a social worker and has been President of

Gurudwara Shri Gur Singh Sabha for the last 10 years. The Naib Tehsildar on August 18, 2003 (Annexure P/2), after verifying the record recommended the name of the petitioner as Lambardar and all the candidates were asked to appear before the Assistant Collector Grade I. However, the recommendation was not accepted and Assistant Collector First Grade vide order dated November 18, 2003 (Annexure P/3) recommended the name of Majinder Singh to be appointed as Lambardar. Apparently, Manjinder Singh was much younger to the petitioner and was probably preferred for this reason. The order of the Assistant Collector dated November 18, 2003 was challenged by the petitioner before the Collector, which was upheld by the Collector vide order dated November 27, 2003. Thereafter an appeal was filed before the Commissioner by the petitioner but the appeal was dismissed. Further revision before the Financial Commissioner was also dismissed.

The comparative merits of the petitioner and Manjinder Singh were considered by the authorities. Manjinder Singh was only 32 years of age, studied upto class 10 and could read and write Hindi, Punjabi and English. He was permanent resident of the village, owned 28 kanals of land and was the nephew of the deceased Lambardar. On the the hand, the petitioner was 57 years of age and owned 22 kanals of land.

It is obvious from the above, that respondent 7 was more meritorious candidate and was therefore appointed Lambardar.

We have gone through the impugned orders of the revenue courts and found that they have not committed any jurisdictional error or legal infirmity.

Consequently, this petition is dismissed.

(K.S. GAREWAL)
JUDGE

2.8.2007 **(S. D. ANAND)**
prem **JUDGE**